

AO 257 (Rev. 6/78)

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

26 USC § 7206(1) - 3 counts  
 Filing False Tax Returns

Petty  
 Minor  
 Misdemeanor  
 Felony

Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

RECEIVED  
 FEB 27 2008  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

## PENALTY:

26 USC § 7206(1) - 3 yrs impris., \$250,000 fine, 1 year  
 superv. rel., \$100 assessment

## PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

INTERNAL REVENUE SERVICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed  
 which were dismissed on motion of:

U.S. Atty  Defense  
 this prosecution relates to a pending case involving this same defendant  
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person  
 Furnishing Information on JOSEPH P. RUSSONIELLO

THIS FORM

U.S. Atty  Other U.S. Agency

Name of Asst. U.S. Atty  
 (if assigned)

THOMAS MOORE, AUSA, CHIEF, TAX DIV.

## DEFENDANT

## IS NOT IN CUSTODY

1)  Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons was served on above charges

2)  Is a Fugitive

3)  Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

## IS IN CUSTODY

4)  On this charge

5)  On another conviction

6)  Awaiting trial on other charges }  Fed'l  State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes } If "Yes" give date filed  
 No }

DATE OF ARREST } Month/Day/Year

Or... if Arresting Agency & Warrant were not  
 Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY }

This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

## PROCESS:

SUMMONS  NO PROCESS\*  WARRANT

If Summons, complete following:

Arraignment  Initial Appearance  
 Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

1 JOSEPH P. RUSSONIELLO  
2 United States Attorney  
3  
4  
5  
6  
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FILED  
FEB 27 PM 3:13  
CLERK'S OFFICE  
NORTHERN DISTRICT OF CALIFORNIA

MHP

8 UNITED STATES DISTRICT COURT FOR THE  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 AURORA C. CABALAR  
15 Defendant.

CR 08 No. CR 0112  
VIOLATIONS: 26 USC § 7206(1)-  
Filing False Tax Returns  
(Three Counts)

17 INFORMATION

18 The United States Attorney charges:

19 **COUNT ONE:** (26 U.S.C. § 7206(1))

20 On or about April 2, 2002, in the Northern District of California, the defendant,

21 AURORA CAHAYAG CABALAR,

22 then resident of Oakland, California, did willfully and knowingly make and subscribe a U.S.  
23 Individual Income Tax Return for the calendar year 2001, which was filed with the Internal  
24 Revenue Service and verified by the defendant in a written declaration that it was made under the  
25 penalties of perjury, which income tax return she did not believe to be true and correct as to every  
26 material matter in that said defendant reported gross receipts from Cabalar Tax Service of  
27 \$4,280, whereas, defendant then and there well knew and believed, the gross receipts of tax

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1 preparation service were substantially in excess of that heretofore stated.

2 In violation of Title 26, United States Code, Section 7206(1).

3 **COUNT TWO:** (26 U.S.C. § 7206(1))

4 On or about March 27, 2003, in the Northern District of California, the defendant,

5 **AURORA CAHAYAG CABALAR,**

6 then resident of San Leandro, California, did willfully and knowingly make and subscribe a U.S.  
7 Individual Income Tax Return for the calendar year 2002, which was filed with the Internal  
8 Revenue Service and verified by the defendant in a written declaration that it was made under the  
9 penalties of perjury, which income tax return she did not believe to be true and correct as to every  
10 material matter in that said defendant reported gross receipts from Cabalar Tax Service of  
11 \$8,150, whereas, defendant then and there well knew and believed, the gross receipts of her tax  
12 preparation service were substantially in excess of that heretofore stated.

13 In violation of Title 26, United States Code, Section 7206(1).

14 **COUNT THREE:** (26 U.S.C. § 7206(1))

15 On or about February 19, 2004, in the Northern District of California, the defendant,

16 **AURORA CAHAYAG CABALAR,**

17 then resident of San Leandro, California, did willfully and knowingly make and subscribe a U.S.  
18 Individual Income Tax Return for the calendar year 2003, which was filed with the Internal  
19 Revenue Service and verified by the defendant in a written declaration that it was made under the  
20 penalties of perjury, which income tax return she did not believe to be true and correct as to every  
21 material matter in that said defendant reported gross receipts from Cabalar Tax Service of  
22 \$16,150, whereas, defendant then and there well knew and believed, the gross receipts of her tax  
23 preparation service were substantially in excess of that heretofore stated.

24 In violation of Title 26, United States Code, Section 7206(1).

25 **JOSEPH P. RUSSONIELLO**  
26 **UNITED STATES ATTORNEY**

27   
**BRIAN STRETCH**  
Chief, Criminal Division

28 Dated: 2-26-08

Approved as to Form

  
**THOMAS MOORE**  
Assistant United States Attorney